

**NOTICE OF APPEAL**  
**FROM THE EXAMINER TO THE BOARD OF PATENT**  
**APPEALS AND INTERFERENCES**

Docket Number (Optional)  
13601-72

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. § 1.8.

Date December 16, 2011

Signature /Ryan L. Marshall/

Typed or printed Name Ryan L. Marshall

In re Application of Markku Anttila

Application No.  
10/777,211

Filed  
February 13, 2004

For METHOD FOR ENHANCING THE  
BIOAVAILABILITY OF OSPEMIFENE

Art Unit  
1628

Confirmation No.  
2487

Examiner  
Shirley V. Gembeh

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$620.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$310.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23-1925.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the:

☐ Applicant/Inventor.

/Ryan L. Marshall/

Signature

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

Ryan L. Marshall

Typed or Printed Name

☒ Attorney or agent of record.  
Registration No. 47,770.

☐ Attorney or agent acting under 37 CFR 1.34.  
Registration No. if acting under 37 CFR 1.34, \_\_\_\_\_.

December 16, 2011

Date

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.